



*Handwritten:* DAC \$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Van Diep Nguyen et al.

Examiner: Ayal I. Sharon

Application No.: 09/805,598

Art Group: 2123

Filed: March 12, 2001

For: PROCESS AND DEVICE FOR  
DISPLACING A MOVEABLE UNIT ON  
A BASE

**PETITION TO ACCEPT UNINTENTIONALLY DELAYED CLAIM**  
**UNDER 37 C.F.R § 1.78(c)(3)**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Applicant states that the above referenced patent application is a continuation-in-part of U.S. Patent Application No. 09/362,643 filed July 27, 1999, now U.S. Patent No. 6,438,461. The Applicant asserts that the entire delay between the date the claim was due under paragraph 37 C.F.R § 1.78(a)(2)(ii) and the date of this petition was unintentional. The surcharge of \$1,370.00 set forth in 37 C.F.R § 1.17(t) is enclosed.

Respectfully submitted,  
IRELL & MANELLA LLP

Dated: January 28, 2005

*Handwritten signature: Ben J. Yorks*  
\_\_\_\_\_  
BEN J. YORKS  
Reg. No. 33,609

840 Newport Center Drive, Suite 400  
Newport Beach, CA 92660  
949-760-0991

02/03/2005 CNGUYEN 00000002 090946 09805598

01 FC:1454

1370.00 OP

**Certificate of Mailing**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 28, 2005.

*Handwritten signature: Catherine M. Sanders*  
\_\_\_\_\_  
Catherine M. Sanders  
Date: January 28, 2005

*Handwritten:* 1-28-05